Mr. K. T. Bhashyam Iyengar.—

What is the procedure adopted by the Superintendent in such cases generally? Is it not usual to cross-examine the persons whose evidence go to harm a party?

Chief Secretary to Government.—

Notice.

Mr. G. Channappa.—

Will the Government be pleased to place the enquiry report on the table of this House?

Chief Secretary to Government.—

All available information has been furnished in the answer.

Mr. M. P. Somasekhara Rao.—

Was the maximum punishment of 30 cuts awarded to any of the prisoners?

Chief Secretary to Government.—

Yes; under the Jail Manual the punishment should be sufficiently severe to act as a deterrent.

GOVERNMENT BUSINESS.

I. Statement of General Principles of the Bill to Amend the Code of Criminal Procedure.

THE CHIEF SECRETARY TO GOVERNMENT explained the principles as follows:—

The Government of India have had under contemplation the question of empowering the police officers of Indian States to pursue and arrest criminals who have fled over the border into British India, on the understanding that a reciprocal arrangement will be made by the States concerned. At present, such arrests have to be effected through the British Indian Police and the chances are that the fugitives may escape through possible delay.

The Government of India have accordingly issued rules under the Extradition Act authorising such arrests in certain circumstances by the police officers of some Indian States including Mysore. It is now proposed to amend the Mysore Code of Criminal Procedure providing for the arrest of

fugitives in Mysore by the British Police under similar circumstances.

The power can only be exercised in cases of hot pursuit where it is not possible, without prejudicing the chances of arresting the offenders, to enlist the aid of the local police and it will be restricted to officers not lower in rank than a Head Constable or Jamadar.

The exercise of the power will also be limited to crimes covered by Sections 300, 302, 303, 304, 307, 308, 311, 382, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401 and 402 of the Indian Penal Code.

MR. K. T. BHASHYAM IYENGAR observed that at present the British Police could not arrest a person in the Mysore State unless they sent an extradition warrant through the Residency, but such arrest could be made by a Mysore Police officer and the person handed over to the British Police after obtaining the orders of a competent magistrate. The proposed amendment would at once cut through all this procedure and empower the British Police to directly enter the State and arrest any person even on mere suspicion. This would be a very tall order and an inroad on the sovereignty of the State. For trying to help the arrest of one real culprit, the Bill would create facilities to arrest ten others who might not be criminals at all. For every case of justifiable interference with the liberty of the subjects of His Highness, there were sure to be many cases of unjust or vindictive harassment of even honest subjects of the State. Again, if a wrong person was arrested and subjected to all kinds of harassment in a foreign place, there was no provision to award compensation to him on account of the indignity and worry caused to him. After all, there were not many instances of people committing offences in the State and running away into British territory.

The member therefore appealed to the Government not to pass the amendment which in effect would surrender honest individuals into the hands of foreign administrations. His own opinion was that this was only a thin end of the wedge, and if this amendment was once introduced, the British Indian Police would seek similar powers being given to them within the State even in respect of more drastic sections of the Criminal Procedure Code. All things considered, it was not at all desirable to introduce the proposed amendment.

THE DEWAN pointed out that what was proposed in the Bill was merely to provide for a reciprocal arrangement.

MR. K. T. BHASHYAM IYENGAR said that there was no need for any such arrangement so long as the disadvantages

of it were sure to be more than the advantages from the point of view of the people who always preferred to be dealt with by their own officers rather than by those from outside jurisdictions.

MR. A. K. VENKATAVARADACHAR said that the amendment was very necessary. Even in respect of crimes committed within the State, the local police were at present unable to arrest the offenders if they crossed the borders of the State, and the present practice of their having to obtain extradition warrants involved delay which enabled the offenders to escape. He had no objection to giving to outside Police administrations whatever facilities they were themselves prepared to give to the Mysore Police.

MR. T. MARIAPPA also spoke in favour of the amendment. He rather thought that Mr. Bhashyam Iyengar had in his mind cases coming under the civil disobedience movement. But such cases, he said, did not fall under the purview of the Bill under discussion.

MR. H. C. DASAPPA, in supporting the Bill, observed that the time had long past when subjects of Mysore could afford to remain entirely unconcerned with British Indian subjects. At a time when an All-India Federation was so earnestly being considered, it was but proper that mutual adjustments and agreements were effected between Mysore and other surrounding administrations. After all, the Bill under discussion did not propose to give unlimited powers to outside Police officers; it sought to help them to arrest persons committing offences falling under particular sections of the code in the British territories and escaping to Mysore territory, and that too, only in cases of "hot pursuit."

He added that, in the course of the Chief Secretary's explanation of the main principles of the Bill, it had been stated that at present, offenders committing offences within Mysore limits and crossing the borders thereafter had to be arrested through the British Indian Police, which procedure entailed delay. It was to obviate such delay that the British Government had issued necessary orders empowering the Mysore Police to arrest such criminals themselves. A reciprocal arrangement like that was also necessary to empower the British Police to arrest their criminals entering the Mysore State, without the intervention of the Mysore Police. But the statement of general principles of the Bill did not say that even when the British Indian Police arrested a criminal wanted by the Mysore Police, they should immediately hand him over to the Mysore Police. If this arrangement had

been agreed to by the British Indian Police, all the difficulties mentioned by Mr. Bhashyam Iyengar would disappear.

MESSRS. J. MAHOMED IMAM and B. GOPALACHAR said that from the point of view of the frontier districts, the proposed amendment was very necessary.

MR. K. VENKATASWAMIAH said that the House was not aware of the particular provisions that had been made by the British Indian Government. He had no objection to giving the British Indian Police whatever facilities they themselves were prepared to give to the Mysore Police. But he feared that the Bill might enable the outside Police to arrest Mysoreans even on mere suspicion. He added that the House hesitated to lend support to the Bill because the British Indian Police had all along refused to help the Mysore Police in the case of labourers who had broken their contracts with the Mysore planters and gone away to outside jurisdictions. He thought that the present opportunity should be availed of to include offences under the Breach of Contract Act in the Bill.

THE SECOND MEMBER OF COUNCIL replied that the offence mentioned by the speaker was of a very minor nature compared with the offences referred to in the Bill under discussion.

CAPT. Y. V. AYYA spoke in favour of the Bill.

MR. K. V. VEERANNA feared that the amendment might enable outside Police to harass Mysoreans unnecessarily. He would have no objection to the amendment if it was made clear that the advantages to be gained from it would be more than the disadvantages.

MR. M. S. LINGE GOWDA observed that there was no reason to fear that the amendment would cause needless harassment to the subjects of Mysore.

The principles of the Bill were then put to vote and *carried.*

II. Statement of General Principles of the Bill to Amend the Land Acquisition Regulation.

THE SECRETARY TO GOVERNMENT, DEVELOPMENT DEPARTMENT, explained the principles as follows:—

Under the provisions of the Land Acquisition Regulation of 1894, as amended by Regulation XI of 1916, and I of 1927, no land can be acquired unless it is needed for a public purpose or for a company or unless the compensation

to be awarded for such land is to be paid by a company, or wholly or partly out of public revenues, or some fund controlled or managed by a local authority.

A co-operative society is not a "company" as defind in Section 3, Clause (*e*) of the Land Acquisition Regulation, nor is it a local authority within the definition in Section 3, Clause (20) of the General Clauses Regulation. Consequently, the provisions of the Land Acquisition Regulation cannot be put into operation for the acquisition of lands for and on behalf of co-operative societies.

In order to remedy this, it is proposed to amend the Land Acquisition Regulation on the lines of the amendment already made in British India by Act XVII of 1919.

MR. V. VENKATAPPA observed that co-operative societies existed for the good of the public and so they should be considered as public bodies. If that were so, the Government had power under the existing law to acquire any lands or sites for promoting the interests of co-operative societies. In these circumstances, the amendment appeared to be unnecessary.

MR. K. T. BHASHYAM IYENGAR considered that the amendment was necessary. Even at present, the Government could acquire any lands or sites required for any co-operative society, pay the cost thereof from State funds, and then hand over the land to the society after recovering from it the cost of the acquisition. The amendment sought to dispense with such a round about procedure, so that the acquisition could be made directly in the name of a society and the cost paid by it.

MR. BELUR SRINIVASA IYENGAR said that, under the Land Acquisition Regulation, lands required for a joint-stock or other company could be acquired but not lands required for a co-operative society, because co-operative societies were governed by a separate Regulation. The amendment was only an enabling provision and there would be no objection to introducing it.

CAPT. Y. V. AYYA and MR. D. S. MALLAPPA thought that the amendment might result in more disadvantages than advantages. If, for instance, a house-building co-operative society wanted to secure hundreds of house sites, these would have to be acquired; and the question then would be whether the interests of the public at large should be subordinated to those of a few members constituting the society for the time being.

THE SECOND MEMBER OF COUNCIL replied that the question whether the acquisition was or was not necessary

in public interests would be examined in each case; the *bona fides* of the society asking for the acquisition would be gone into and acquisition ordered if they be found to be genuine.

MR. W. H. HANUMANTHAPPA said that the *bona fides* of every application for acquisition should be carefully examined, and if necessary, competent courts of law also empowered to hear objections. The effect of the amendment should not be to render poor people homeless.

MR. B. L. BYANNA pointed out that even at present objections were being heard before any acquisition was finally ordered.

MR. P. SUBBARAMA CHETTY thought that there should be no objection to acquiring a site for enabling a society to have a building of its own; but if it was a question of a large number of sites having to be acquired so that the society might sell them to its own members and make profits thereby, it was altogether different, and it would have to be gone into more carefully.

There was a restriction in the case of municipal towns that no private party should lay out his own extension with a view to make profits. The object was that private interests should not prejudice larger public interests. The same principle should be borne in mind in future also. Secondly, if any revenue lands situated within municipal limits were converted into house sites, the special fine payable by the owners thereof would go to benefit the municipality concerned. If this amendment was passed and such lands were to be formed into house sites, the revenue would be lost to the municipalities. He wanted certain conditions to be inserted in the Regulation so that municipalities would not lose this source of income.

THE SECOND MEMBER OF COUNCIL at this stage observed that there seemed to be a certain amount of misapprehension in regard to this question. Government could not, at present, acquire sites on behalf of co-operative societies as they could on behalf of a railway company or a joint-stock company. The amendment sought to give them this power subject to certain conditions contained in Section 40. Orders for acquisition would not be given even in future unless Government were satisfied that the acquisition was necessary in public interests.

As regards the fear expressed by Mr. P. Subbarama Chetty that private parties might be enabled to lay out extensions and make profits, the Second Member of Council

explained that the restrictions existing at present in this respect would continue to operate even under the proposed amendment.

MR. P. SITHARAMIAH supported the amendment. When a company with barely a few shareholders could be helped to have lands of its own by acquisition, he did not see why co-operative societies which catered to a larger number of people, should not be similarly helped.

MR. D. S. MALLAPPA pointed out that, under the proposed measure, some of the house-building societies might acquire large extents of lands, divide them into convenient plots and sell them to their members. Such a course would benefit only a limited few at the expense of others. It was no doubt true that the Bill provided that unless the acquisition was for a *public purpose*, it would not be allowed by the Government. The term *public purpose* could be defined in any manner. There would be no objection to the measure if instead of the words *public purpose*, the words *business purposes* were inserted in the Bill. Otherwise, there was the grave danger of poor people being deprived of their valuable lands for the benefit of other influential men.

MR. B. GOPALACHAR also agreed with the above view.

MR. N. G. SANJEEVIAH said that it was not clear from the general principles before the House whether the acquisition was for *business purposes* or for purposes of individual benefit. If it was for purposes of expanding the business of the society, there would be no sort of objection. If, on the other hand, it was for the purpose of dividing the block into a number of plots for being sold to its members, then the measure would not have his support.

MR. H. C. DASAPPA supported the measure. He was of opinion that it was not right to restrict the acquisition only for purposes of expanding the business of the societies. There was no necessity to amend the Regulation for that purpose. The object of the measure was to enable the co-operative societies to acquire lands not only for business purposes, but as in the case of building societies for other purposes as well. While at present there was provision in the Land Acquisition Regulation for lands being acquired for companies to enable them to expand their business, there was no such provision in favour of co-operative societies—institutions similarly registered though under a different Regulation. As the Government had retained the power to sanction any acquisition or not, he did not think that the measure would cause any hardship to anybody.

With reference to the objection raised by Mr. Subbarama Chetty that there would be a clash of interests between the co-operative societies and the municipalities, the speaker said that the municipalities had their own bye-laws for providing various facilities to the societies and the proposed measure would not in any way affect them prejudicially. If the lands which the co-operative societies wanted to acquire were within the jurisdiction of any municipality, then they had to be obtained in consultation with the municipality.

MR. P. SUBBARAMA CHETTY pointed out that the Government had accepted the principle that the municipalities should lay out extensions and provide for the necessary amenities there. Any facilities provided by the municipalities would be for the benefit of the people at large. On the other hand, if the co-operative societies were given the lands for being converted into sites, it would benefit only a limited number of people, and the municipalities would lose one of the privileges which they were enjoying.

THE SECOND MEMBER OF COUNCIL observed that there would be no competition between the municipality and the co-operative societies in the disposal of lands.

MESSRS. H. C. DASAPPA and B. S. PUTTASWAMY said that, if there should be competition in any case, the municipality might be given the preference.

MR. BELUR SRINIVASA IYENGAR remarked that there was some room for the apprehension on the part of Mr. P. Subbarama Chetty. If, in any particular case, the Government favoured the co-operative societies, the municipality would become helpless.

THE DEWAN observed that a similar Act was in force in British India for the last 13 years, that no cases of hardship had so far been reported and that the difficulties mentioned by the members were only imaginary.

MR. T. MARIAPPA pointed out that, as a result of the proposed measure, a number of agricultural co-operative societies might spring up in the Irwin Canal area. If lands were acquired for them in that area, there would be great difficulty to the raiyats owning lands there.

THE SECOND MEMBER OF COUNCIL observed that Government would approve of the acquisition proceedings only if they were satisfied that such acquisition was for a public purpose and not otherwise.

MR. T. MARIAPPA was of opinion that the legislation ought not to be elastic, but definite. He thought that the

particular purposes for which lands might be acquired should be indicated in the Bill.

MR. ABDUL AZIZ enquired which of the two kinds of societies—banking societies and house-building societies—came under the purview of the Bill.

THE SECOND MEMBER OF COUNCIL replied that both kinds of institutions were included.

MR. ABDUL AZIZ then enquired if lands could be acquired for a building co-operative society for the purpose of giving sites to its members.

THE SECOND MEMBER OF COUNCIL replied that, if a co-operative society wanted lands for being used for a public purpose, the acquisition would be allowed. If in any locality there was congestion and the municipality was unable to provide for better amenities to the people, and if in such a place a co-operative society came forward for removing the congestion, there ought to be no objection to acquiring on its behalf any lands in that locality for the purpose.

On this explanation by the Member, MR. ABDUL AZIZ supported the measure.

RAO SAHIB M. RAMASWAMY said that there were various kinds of societies, *viz.*, communal societies, societies for silk, dairy farming, supply of provisions, cattle breeding, agricultural societies, and so on. If some influential people in a locality formed themselves into a grazing society and applied for the acquisition of large extents of land for grazing purposes, many of the poor people would be deprived of their lands. The result of the measure would be that for benefiting a few influential individuals, a great many people would be put to much hardship. Such difficulties would be experienced to a greater extent in the rural parts where the people were illiterate than in the cities.

THE SECOND MEMBER OF COUNCIL said that this question would not arise as the acquisition should be for the construction of a work, but not for a purpose like grazing.

MR. L. VEMA REDDY pointed out that though the Co-operative Department had been in existence for the last 30 years, the need for a measure of the kind under discussion had not been so far felt. As such, there was no object in putting on the statute book a measure which would only complicate matters. Under the existing rules, any land wanted by a co-operative society could be acquired by Government and handed over to that institution. That was a safe course and might be continued. No special advantage

would be derived by a new legislation of the kind proposed. For these reasons, he was not in favour of the measure.

On behalf of Government, the REGISTRAR OF CO-OPERATIVE SOCIETIES explained that the Bill was in no way disadvantageous to any one. He said that Mr. Subbarama Chetty was afraid that municipal lands would be acquired for the co-operative societies and that the municipalities would be deprived of their income. Such was not the case. If the lands to be acquired for the co-operative societies lay within the jurisdiction of the municipalities, they would be acquired through the municipalities. The object of the Bill was not to inconvenience the municipalities, or for the matter of that, any private individual or individuals. Before an acquisition was sanctioned, a recommendation should come from the Registrar of Co-operative Societies which would be carefully considered by Government before sanction was accorded. If Government were not satisfied that the acquisition was for a public purpose, they would not sanction it. Under such safeguards, there was no room for apprehension that the measure would adversely affect the interests of any one.

The general principles of the Bill were then put to vote and *lost*, 58 voting for and 79 against.

III. Statement of General Principles of the Bill further to Amend the Mysore Limitation Regulation, 1911.

THE CHIEF SECRETARY TO GOVERNMENT explained the general principles of the measure as follows:—

Articles 5 and 159 of the First Schedule to the Mysore Limitation Regulation, 1911, if strictly construed, apply only to suits under the summary procedure provided by rules made under Section 128 (2) (*f*) of the Civil Procedure Code since the Code was enacted in 1911.

In British India, the Limitation Act has been amended by Act XXX of 1925 so as to make Articles 5 and 159 applicable also to suits under the summary procedure as provided in Order 37 of the Civil Procedure Code.

The High Court, on the suggestion of the Rule Committee, have recommended that these amendments be adopted in Mysore also and the Bill proposes to give effect to this suggestion.

The Bill further proposes to extend the period of limitation now fixed in Article 5 for suits to which the summary procedure applies from six months to one year as the existing

period has been represented to be too short. This special period of limitation in Article 5 will, however, only apply so long as it is open, as at present, to a plaintiff to proceed by means of the ordinary procedure as well as by the summary procedure.

MR. H. C. DASAPPA supported the measure. He was however of opinion that the extension of the period of limitation now fixed in Article 5 for suits to which summary procedure applied from six months to one year had advantages as well as disadvantages.

MR. P. SITHARAMIAH opposed the amendment. While doing so, he stated that the proposed amendment should be viewed from the point of view of the debtor defendants and not merely from the point of view of the plaintiff creditors. On all negotiable instruments, it was open, he said, for the plaintiff to file suits either (i) under the summary procedure as contemplated under Order 37, C.P.C., or (ii) under the usual procedure as under Order 7, Rule 1, C.P.C. He explained the difference between a summary suit and a suit brought in the ordinary manner, and brought to the notice of the House the following points of difference:—

(1) A plaintiff proposing to sue upon a negotiable instrument may either bring a summary suit under Order 37, Rule 2, or he may bring the suit in the ordinary manner under Order 7, Rule 1, C.P.C. The advantage of a summary suit from the point of view of the plaintiff—and therefore a great disadvantage from the point of view of the defendant—is that the defendant is not, as in a suit brought in the ordinary manner, entitled as of right to defend the suit. The defendant in a summary suit must apply for leave to defend within 10 days from the service of the summons upon him and such leave will only be granted, if the affidavit filed by the defendant discloses such facts as would make it incumbent on the plaintiff to prove consideration or such other facts as the court may deem sufficient for granting leave to the defendant to appear and defend the suit. Chances of getting such permission are therefore very few even if the defendant is careful enough to approach before the period of 10 days.

(2) A summary suit as it now stands must be brought within six months from the date on which the debt becomes due and payable as per Article 5. The period of limitation for a suit brought in the ordinary manner on a negotiable instrument is three years.

(3) A summary suit can be brought in Mysore State in all courts having ordinary original civil jurisdiction. It is

not so if it is under Order 7, Rule 1. Suits may be filed in the Small Cause Courts as well in the ordinary procedure.

(4) Issue of summons in summary suits is difficult and it requires that the defendant should appear immediately, *i.e.*, within 10 days to obtain the leave of the court to defend himself. It is this that is detrimental to the interests of the defendant.

Continuing, Mr. Sitharamiah said that the method adopted under Order 37 was a special method with regard to the issue of defendant's summons, etc., so much so that plaintiff was entitled to a decree after service of summons to the defendant, and it was not open to the defendant to file his written statement and defend himself as a matter of right. The defendant, under that procedure, had to file an affidavit within 10 days from the date of *service of notice* and had to convince the court that he had a reasonable defence by means of an affidavit—which the court might or might not be convinced of—and with the permission of the court file his defence.

He pointed out that this was an extraordinary provision contemplated in the Civil Procedure Code to give immediate relief to commercial classes in cases of dishonoured Bills of Exchange and dishonoured *hundis* and not a measure provided for all negotiable instruments under all circumstances. That was why at present only six months period had been provided, within which time, the plaintiff should file a suit on such of the dishonoured negotiable instruments and that if that period should be over, the plaintiff must seek relief under the ordinary normal procedure provided for filing suits under Order 7, Rule 1, C.P.C.

The present amendment contemplated the extension of this period to one year. This meant that such of the negotiable instruments as had to be filed under Order 7, Rule 1, C.P.C., after six months' period could be filed under the summary procedure under Order 37, C.P.C. It would mean that even in such cases, the defendant would be deprived of his right to defend himself as a matter of course. Further, the public in general in the State were not usually aware of this procedure and they did not generally seek the permission of the court as contemplated under Order 37 to defend themselves, and thus many would have no chance to get the case re-opened. The nature of the negotiable instruments was such that they would generally be for a short period and in cases they were dishonoured, suits ought to be filed only within six months if the plaintiff should adopt this special

procedure and get special relief. The extension of the period to one year would work as a great hardship on the defendants and would lead in some cases to decrees on even discharged but unreturned negotiable instruments. Further, the court had no powers to re-open the case after the lapse of the period contemplated under Article 159 of the Limitation Regulation which was only 10 days. There were any number of decisions to support this position. The plaintiff would thus be able to get a decree without any opportunity being given to the defendant.

For these reasons, he said that the proposed amendment was not a desirable one from the point of view of the defendant.

MR. K. T. BHASHYAM IYENGAR supported the measure. He did not agree with the previous speaker in the view that the measure would cause greater hardship to the defendants. If the period of limitation was extended to one year, it was certainly a great help to the defendant, for the reason that he would get additional time for the payment of his dues, as the summary proceedings would not be taken by the plaintiff within six months. Any measure that was helpful from the point of view of a defendant should, he said, have the support of the House.

MR. T. MARIAPPA also supported the measure. He said that no new procedure was suggested in the measure. All that was proposed to be done was to extend the period of limitation for summary procedure from six months to one year and that was advantageous to the borrower.

Thereupon, the general principles of the measure were put to vote and *accepted* by the House.

IV. Statement of General Principles of the Amusement Tax Regulation.

THE CHIEF SECRETARY TO GOVERNMENT explained the general principles of the measure as follows:—

In some countries, a tax on entertainments is levied to augment the public revenues or the revenues of the local bodies. In the provinces of British India where the tax is levied, its proceeds are, in some instances, credited to provincial revenues, while in the Madras Presidency they go to the benefit of the local bodies.

The Indian Taxation Enquiry Committee of 1924-25 recommended the extension of the imposition of a tax on

entertainments and giving local bodies a substantial share of the proceeds.

The Mysore Taxation Enquiry Committee considered the levy of a similar tax in Mysore as a desirable measure for improving local finance. The Bangalore City Municipality also urged the necessity for the levy of such a tax. It is considered expedient to take power by means of legislation to levy this tax on certain classes of entertainments.

In the Bill to be introduced, it is proposed that while the Government should take power to levy and collect this tax, it should arrange to make over a fair portion of the proceeds towards the revenues of local bodies.

The following are the main features of the Bill :—

It provides for the levy of a tax payable to Government at the rate of 25 per cent on all payments for admission to entertainments. It is provided that the tax is not leviable where the payment for admission is not more than eight annas.

In respect of special classes of entertainments for which the rate specified above would impose an undue burden on the industry, a lower rate of tax may be levied. The method of admission of persons to places of entertainments and the manner of payment of the tax are laid down. Non-compliance with these provisions is made an offence and the proprietor of the entertainment guilty of such offence is made liable to a fine not exceeding Rs. 500.

Entertainments which are of an educational or scientific character or, which are organised for the purpose of promoting the interests of agriculture, industry or public health are exempted from the tax. A similar exemption is allowed in the case of entertainments the proceeds of which are devoted to philanthropic, religious or charitable purposes.

Under the proposed Regulation, the Government have power to delegate certain powers to other persons or to any subordinate authority and also to contribute as much portion of the collections as they deem fit for the use of the local bodies.

MR. B. S. PUTTASWAMY enquired whether any portion of the tax would be retained by the Government.

THE DEWAN observed that as far as possible the tax was meant for the benefit of the local bodies.

MR. N. V. NARAYANA MURTHI said that the measure would have the unanimous approval of the members, if it was assured that the entire proceeds would be handed over to the local bodies.

MR. P. SUBBARAMA CHETTY represented that the power to levy the taxes should be vested in the local bodies subject to the approval of Government.

THE DEWAN observed that it could be done.

Referring to the Bangalore City Municipality, MR. P. SUBBARAMA CHETTY said that the Government contribution to the said municipality had been reduced in recent years and its income was also going down. For the last ten years, the municipality had been spending more than its revenue. With a view to augment its resources, the municipality prepared a list of new taxes that might be imposed, of which, tax on entertainments was one. This was placed before the Government for their consideration and they drafted the Bill which was under discussion. As the proposed taxation would not affect the poor, he hoped the measure would have the unanimous support of the House. He also thanked the Dewan for having agreed to entrust the power to levy the taxes to the local bodies concerned.

MR. G. MALLANNA was not in favour of entrusting the municipalities with the power of levying the taxes. He said that the Central Government should levy the tax and then apportion the amount among the local bodies.

MR. K. T. BHASHYAM IYENGAR said that it was not right that the Government should have the power of levying the tax and distributing it among the local bodies. The local bodies should be empowered to levy the tax and utilise the proceeds to their best advantage.

THE DEWAN observed that by such an arrangement there would be some difficulty. The question would arise as to whether each municipality should be allowed the option to levy the tax as it thought fit or whether the Government should levy a uniform rate of tax throughout the State.

MR. K. T. BHASHYAM IYENGAR said that the difficulty could be overcome by leaving the option to levy the cess to the local body concerned. If any local body was in need of funds, let it levy the tax. Otherwise, it need not unnecessarily tax its people.

MR. J. MAHOMED IMAM said that the bulk of the tax under entertainments would be collected in the cities of Bangalore, Mysore and Davangere. If the levy of the tax was entrusted to the concerned local bodies for their own use, nothing would be left for distribution among other similar institutions. On the other hand, if the levy was to be made by the Government, they might devote a certain portion of it for economic development work in the several

parts of the State. For these reasons, he was in favour of Government retaining the power to levy the tax.

MR. B. GOPALACHAR thought that if the municipalities were given the option to levy the tax, some might levy it and the others not. Hence, he was of opinion that Government should levy the tax for the whole State.

MR. D. S. MALLAPPA and some others said that they were not concerned with the procedure to be adopted for levying the tax, but would support the measure if an assurance was given that the entire amount collected would be handed over to the concerned local bodies.

THE DEWAN observed that there was no intention on the part of the Government to retain for itself any portion of the collections except the cost of collection.

MR. T. MARIAPPA was of the opinion that Government should have the power to levy the tax and distribute the proceeds among the various local bodies. He was also of opinion that the rate of 25 per cent was too high and should be reduced to $12\frac{1}{2}$ per cent.

CAPT. Y. V. AYYA did not agree with the above view. He said that the rate was fixed sufficiently high in order to discourage young boys from frequenting cinemas and losing their eye-sight in the long run.

MR. L. VEMA REDDY was also in favour of Government levying the tax and distributing the proceeds.

MR. USMON KHAN expressed the fear that by the levy of the proposed tax in Bangalore City, there was a chance of the cinema income falling down as the people would prefer to go to the Civil and Military Station where no such tax was in force. He enquired whether the tax would be levied on the gross or net income of the companies.

THE CHIEF SECRETARY replied that the tax would be collected on the value of the tickets.

MR. USMON KHAN said that the citizens of Bangalore City were already crushed under various taxes and a 25 per cent tax on entertainments would be too high for them to bear. He also did not see any reason why the municipality should levy tax on entertainments as they were not affording any special facilities to the theatre companies.

MR. W. H. HANUMANTHAPPA said that there need be no apprehension that by the levy of the tax in Bangalore City, the cinema—goers would go to the Civil and Military Station where no such tax was levied. To go to Cantonment, they had to pay *jutka* charges which would in some

cases be much more than the tax proposed. As such the income to cinema firms would in no way be affected.

MR. BELUR SRINIVASA IYENGAR gave his hearty support to the measure. He said that the question of levying an entertainment tax in the Bangalore City Municipality was discussed at great length by the Municipal Council and a resolution was sent up to the Government. Many circus troupes and dramatic companies, not to speak of cinema companies, were coming to Bangalore and earning huge profits. They were being attracted to the city owing to the many social amenities obtaining there. It was therefore right that such companies should contribute a portion of their income to the municipality which made it possible for them to earn such huge profits. While the merchants residing at Bangalore paid income-tax, the dramatic and other companies which earned large profits escaped all taxation. They also should be made to give a portion of their income by way of a tax. For these reasons, he commended the measure for the unanimous acceptance of the House.

MR. M. S. LINGE GOWDA said that it was necessary to equalise the payment of taxes. The people who amused themselves but generally escaped taxation should be made to pay. Hence he thought that the rate proposed was all right.

MR. S. C. MALLIAH said that the Central Government should levy the tax and distribute the proceeds among the various local bodies. If that was done, there would be equal distribution among all the local bodies. Otherwise, a few local bodies alone would be benefited.

On behalf of Government, the REVENUE COMMISSIONER IN MYSORE explained that the Bill was as comprehensive as possible to suit all possible cases. It might be enforced in any one municipality, be it city, town or minor municipality, or it might be enforced throughout the State. There were also provisions to exempt any local body from the levy of this tax if the Government considered such a course was necessary.

He said that there were only two points for decision, *viz.*, whether the Government should levy the tax as a general tax or whether the power should be entrusted to the local bodies, and secondly, whether the entire proceeds should be handed over to the local bodies. With reference to the first point, he said that the Indian Taxation Committee had recommended that this tax should be levied as a central tax. That suggestion had been adopted and provision had been

made in the Bill empowering the Government to collect the amount and distribute the same to the local bodies. In respect of the second point, he observed that there was no idea on the part of the Government to keep any portion of the amount for itself, except that of the cost of collection, and an assurance to that effect had been given by the Dewan Sahib. He also added that there was provision in the Bill to enable the Government to delegate their powers to other persons or any subordinate authority. There would be uniformity in the levy, and taxation would be general if the Government levied the tax.

MR. H. C. DASAPPA said that the rate of tax proposed, *viz.*, 25 per cent was too high and would cause inconvenience to the public. This should be the maximum and the Government should reserve to themselves the right to alter the rates under their rule-making powers.

THE DEWAN observed that that was exactly the idea of the Government.

MR. S. C. MALLIAH enquired whether any portion of the proceeds would be apportioned to the District Boards.

MR. B. S. PUTTASWAMY represented that the proceeds from an area should not be spent in that area alone, but should be equally distributed.

THE DEWAN observed that the city municipalities should be treated somewhat differently, but in the case of other local bodies, the question of equitable distribution would be considered by Government.

Thereupon the general principles of the Bill were put to vote and *accepted* by the House.

V. Statement of General Principles of the Betting Tax Bill.

THE CHIEF SECRETARY TO GOVERNMENT explained the general principles of the measure as follows:—

In England and in some provinces in India, a tax on betting on horse races is levied as a source of revenue. It is considered expedient to take power, by means of legislation, to levy a tax on betting in Mysore on the lines of the law in Bengal.

The main features of the proposed legislation are as follows:—

Betting on a horse race with a licensed book-maker or at the totalizator in a race enclosure on a racing day is

legalised. A tax at 6¼ per cent on all monies paid into the totalizator and on all monies paid or agreed to be paid by a licensed book-maker to a backer is provided. The stewards of a race meeting are required to keep accounts, in the prescribed forms, of all monies paid into the totalizator, and licensed book-makers are similarly required to keep accounts of all sums paid or agreed to be paid by them.

Provision is made for the recovery of the tax from the stewards of the race meeting or the licensed book-makers as a revenue demand..

There is no provision in the Police Regulation under which action could be taken to prevent betting generally attended with fraud which takes place in connection with horse races at what are popularly known as bucket shops.

It is proposed to amend the Police Regulation so as to make it possible to suppress these bucket shops. The definition of gaming is to be enlarged so as to include wagering or betting on a horse race except when such wagering or betting takes place on a racing day and in a place or places within the race enclosure which the authority controlling such a race has set apart for the purpose. Gaming on horse races, as thus defined, and the maintenance of places for the purpose of such gaming are to be made punishable with a fine not exceeding five hundred rupees or imprisonment not exceeding one month.

Mr. P. Subbarama Chetty suggested that sweeps should also be taxed.

The Dewan was of the opinion that they should not be discouraged too much.

Mr. P. Subbarama Chetty then enquired whether any tax would be levied on the admission fees as racing was a sort of entertainment.

The Chief Secretary to Government said that that point should be considered in connection with the Amusement Tax Bill.

Mr. N. G. Sanjeeviah wanted an assurance from Government that the entire proceeds from the tax would be earmarked for primary education.

The Dewan said that it was not possible to give any such assurance.

Mr. K. T. Bhashyam Iyengar said that, while the tax on harmless amusements was as high as 25 per cent, there was no reason to fix the tax on betting at as low a figure as 6¼ per cent but should be raised to 12½ per cent.

THE CHIEF SECRETARY TO GOVERNMENT replied that in betting, a person stood the chance of losing his entire amount, but that was not so in the case of other entertainments. The Government had considered all aspects, and by actual calculations they had come to the conclusion that anything in excess of 6¼ per cent would affect the yield of the tax.

MR. P. SITHARAMIAH said that, in the sweeps for each event, huge sums of money were being collected and that a tax at 6¼ per cent on those amounts should also be collected.

THE DEWAN observed that it would be considered.

The general principles of the measure were thereupon put to vote and *accepted* by a large majority.

At this stage, the Assembly adjourned for lunch and re-assembled at 3-30 p.m.

VI. Statement of General Principles of a Bill to Amend the Law relating to the Mysore University.

THE CHIEF SECRETARY TO GOVERNMENT explained the general principles of the Bill as follows :—

The University of Mysore has been established and incorporated under the Mysore University Regulation V of 1916. The need for a re-modelling of the constitution of the Mysore University in certain respects has been felt by the authorities of the University. The proposals for such re-organisation which were formulated by the University authorities have been considered by the Government and the present Bill is intended to implement such of the proposals as have been accepted by the Government.

The main features of the re-organisation are indicated in the following paragraphs :—

(1) There are, at present, two governing bodies in the University : the Senate and the University Council. It is proposed to constitute in addition an Academic Council to deal with purely academic matters. The province and functions of each of the three bodies are clearly defined in the Bill, and the relation of the Faculties to the Academic Council is also laid down. The Faculties are to be constituted from among the members of the Academic Council and each Faculty will act generally in an advisory capacity to the Academic Council in academic matters falling within its purview.

(2) The laws of the University are, at present, contained in the University Regulation and in Ordinances

covering matters of varying degrees of importance. It is proposed to classify the existing Ordinances as Statutes and Ordinances. Some of the matters now included in the Regulation are also transferred to the Statutes. The first Statutes are attached to the Bill. The Senate will have the power, subject to approval of Government, to add to, amend or repeal any Statutes. Ordinances will be made by the University Council on its own motion or in the case of Ordinances relating to academic matters, on the initiative of the Academic Council. The Senate may consider Ordinances made by the Council and may assent to them, or may, by a two-thirds majority, either cancel them or remit them for further consideration. Ordinances which have received the assent of the Senate or have not been cancelled or remitted by it for further consideration are to be submitted to Government for sanction. In addition, each of the governing bodies may frame rules and bye-laws regarding matters within its own special jurisdiction for carrying into effect the provisions of the Regulation, Statutes and Ordinances and for regulating its own business and procedure.

(3) Provision is made for including in the Senate four members elected from the Legislative Council and eight members elected from the Representative Assembly. The number to be elected by the outgoing Senate is to be raised from six to eight. Instead of each of the Faculties electing two members to the Senate, the Academic Council will have the right to elect four members. The strength of the Senate will be raised to 75 and provision is also made for each District Board or Municipal Council agreeing to contribute not less than Rs. 2,000 per annum for five years to the University fund sending a representative to the Senate. Such representatives will be in addition to the strength of 75 referred to above.

(4) The strength of the University Council is raised to 15, and it will include three members elected by the Senate, two elected by the Academic Council and three nominated by the Chancellor.

(5) The Senate and the Council will be re-constituted every three years, instead of two years as at present.

(6) The Vice-Chancellor has been given power to take action in any emergency which, in his opinion, calls for immediate action. In such a case, he has to report his action as soon as possible to the authority which would ordinarily have dealt with the matter.

MR. K. T. BHASHYAM IYENGAR, referring to para 3 of

the statement making it obligatory on the part of every District Board or Municipal Council to contribute not less than Rs. 2,000 per annum for five years before it could send a representative to the Senate, observed that that provision would convey the idea that the seat in the Senate had become a marketable commodity; in other words, that Government would be selling a seat in the Senate for Rs. 10,000. He therefore strongly opposed this provision in the Bill. The provision made for increasing the strength of the Senate to 75 and for enfranchising the Representative Assembly and the Legislative Council for returning eight and four members each, respectively, was, in his opinion, sufficient to meet the present requirements.

THE SECOND MEMBER OF COUNCIL replied that if the local bodies wanted to have an interest in the University, there was nothing wrong in their being asked to pay for it and thus advance the cause of higher education.

MR. G. CHANNAPPA considered it necessary to provide for a representative on the Senate from each District Board but not to make it conditional on payment of contribution. He said that that part of the clause should be deleted from the Bill, leaving the question of contribution to the discretion of the District Boards concerned.

MR. H. C. DASAPPA, who welcomed the measure, said that the proposed amendment had not come a day too soon and that there were some more amendments which had been discussed by the Senate and that they too should have been incorporated in the present Bill.

Referring to para 2 of the statement placed before the House, he said that power had been given to the University and Academic Councils to make Ordinances, but in the case of the Senate, a two-thirds majority had been imposed if it wanted to amend or throw out any Ordinances made by the Council. He explained that this provision fettered the hands of the Senate, as it would make it impossible for it to find a two-thirds majority to oppose any measures brought forward by the University Council. For, the Senate, as it was constituted at present, consisted mostly of University Professors and Assistant Professors of the constituent colleges, all of whom would naturally support the Ordinances framed by the Council.

As regards the members to be returned by the Legislative Council, he wanted them to be thrown open exclusively to non-officials.

THE SECOND MEMBER OF COUNCIL replied that Government would have no objection to agree to the latter proposal.

MR. H. C. DASAPPA did not agree with the previous speakers who opposed the clause making the representation of local bodies on the Senate conditional on an annual contribution to the University. He was a believer in the principle of "No representation without taxation." At present there was no manner of relationship between the District Boards and the University and the idea was that the District Board should evince some interest in the affairs of the University, and his own feeling was that such interest could not be created in the absence of an obligatory payment.

In regard to the representation on the University Council, he pointed out that though the Senate had the power to return by election three members to it, since the preponderating element in the Senate was intimately connected with the University, only the Professors would be returned. He could say from experience that at least two out of the three seats were going only to the University Professors year after year. Thus the privilege of election to the Council given to the Senate was not being exercised on a democratic basis and the object of securing therein more of non-official representation was being defeated. To remedy this state of affairs, he suggested that the number to be nominated by the Chancellor might be increased from three to six.

THE SECOND MEMBER OF COUNCIL enquired whether the speaker was advocating the policy of reducing the elected element and increasing the nomination.

MR. H. C. DASAPPA replied in the affirmative and added that though the principle was not sound, it could not be helped seeing the way in which the Senate was constituted at present. While the Senate was undemocratic, the Council could not be democratic also. Hence he thought it necessary to give a better chance to non-officials to get into the University Council through the door of nomination at least.

THE SECOND MEMBER OF COUNCIL explained that under the revised constitution, the Council would consist of 15 members and shall include :—

The Vice-Chancellor,
The Director of Public Instruction,
The Principals of the constituent colleges and the Superintendent of the Maharani's College ;
3 members elected from and by the Senate ;
2 members elected from and by the Academic Council, and
3 members nominated by the Chancellor,

and enquired whether he proposed to raise the strength by increasing the number of nominations.

MR. H. C. DASAPPA replied that if the idea was to develop the University by attracting endowments from the public and not make the University solely dependent on the Government grant, it was absolutely necessary to increase the non-official element in the executive government of the University.

THE SECOND MEMBER OF COUNCIL observed that Government would consider the suggestion.

Referring to para 6 of the statement vesting in the Vice-Chancellor certain emergency powers, MR. DASAPPA wanted those powers to be properly defined and circumscribed within certain limits.

THE SECOND MEMBER OF COUNCIL replied that that point would be further examined.

MR. B. S. PUTTASWAMY did not agree with the previous speaker who objected to the provision requiring a two-thirds majority in the Senate for cancelling or remitting any Ordinances made by the Council. The Ordinance-making power given to the University and the Academic Council were in respect of matters pertaining to the technique of education and since the Senate was not a technical body, it was but right that they should not be allowed to throw out Ordinances relating to academical matters except by a majority of two-thirds vote as provided in the measure.

As regards the representation on the University Council, the speaker endorsed the suggestion of Mr. Dasappa for increasing the nomination from third to six.

In regard to the provision making it obligatory on the part of the District Boards to pay an annual contribution, Mr. Puttaswamy explained that the local bodies derived their income entirely from local cesses and that had to be utilised for the benefit of the local area concerned. It would not be right to spend it on higher education. Moreover, out of the local cess collections, 26 per cent was being reserved by Government, perhaps for the expenses of higher education.

THE SECOND MEMBER OF COUNCIL pointed out that that was not a correct statement as the Government were not keeping the 26 per cent of the local cess for purposes of higher education, and that all that money was spent on primary education only.

MR. PUTTASWAMY said that since a portion of the local cess was being spent on education, it was not desirable to

insist on further payment from the District Boards for securing representation on the Senate. He remarked that the system of setting a money value for representation did not appeal to him to be sound in principle.

THE SECOND MEMBER OF COUNCIL explained that there was nothing wrong in principle since the demand was made only from statutorily constituted local bodies and not from any and every body. If any local body was interested in University education, it was natural for it to prove that interest by financial support. This principle was accepted also in Madras and in regard to the Indian Institute of Science. So there was nothing unusual in the method proposed. As a matter of fact, the Government wanted to increase the non-academic element in the Senate and that was the policy underlying the Bill. He explained that for the very reason given by Mr. Dasappa, it was necessary to create constituencies which would send a non-academic element who would take some interest in the work. The local bodies, having no statutory power to be in the governing body of the University, could not ordinarily be expected to be represented therein without any obligation on their part. So if any District Board or municipality felt interested in University education, they must be prepared to pay the minimum contribution.

MR. B. S. PUTTASWAMY, however, felt that it was not right to demand a payment of Rs. 2,000 annually for finding them a single seat on the Senate.

MR. N. V. NARAYANA MURTHY supported generally the views expressed by Mr. Dasappa and stressed the need for increasing the non-official representation on the University Council. As a first step in that direction, he suggested that the three members elected from and by the Senate to the Council might be confined to non-officials.

THE SECOND MEMBER OF COUNCIL observed that it was rather difficult to accept that proposition.

With regard to the levy of Rs. 10,000 from the District Boards for securing representation on the Senate, MR. NARAYANA MURTHY observed that it was up to the local bodies to aid the cause of higher education in some definite form seeing that the non-Brahmin communities were availing themselves very largely, in recent years, of the facilities for higher education.

MR. N. G. SANJEEVIAH was opposed to giving more powers to the University Council and the Academic Council on the ground that they would be worked to the detriment

of the popular feeling. As an instance, he cited the case of a medical scholarship awarded by the Scholarship Committee last year having been cancelled by the University on the plea that the award was opposed to the rules framed by them. For the same reason, he pleaded for lowering the two-thirds majority fixed in the Senate for over-ruling the decisions of the University Council to one of a bare majority. Otherwise the popular voice would not at all be effective. He also urged that the clause stipulating an annual contribution from the local bodies to the University must be deleted from the Bill, and the payment made optional. He thought it necessary to provide a seat on the Senate for each local body in order to make the non-official voice sufficiently effective. He also urged the increase in the number of nominations so that special interests like trade and industry might find representation on the University.

MR. L. VEMA REDDY strongly opposed the clause providing for a compulsory contribution from local bodies that desired to take part in the deliberations of the University. Seeing that Government were already utilising 26 per cent of the collections under the local cess for purposes of education besides levying an education cess of one anna in the rupee on land revenue, it was their duty to see that no more payments were insisted upon. After all, he did not believe that the representation of the District Board on the University was going to help the raiyat in any way. If Rs. 10,000 could be made available by any District Board, it could be spent more profitably in sinking drinking water wells which was the primary need of the villages.

MR. T. MARIAPPA criticised the views of the two previous speakers who advocated a free representation of all and sundry on the Senate and thus make that body also as unwieldy as the Representative Assembly. He said that the University was a technical body and only those possessing the necessary qualifications were competent to sit in its deliberative bodies. It was therefore necessary to select suitable constituencies which alone could return qualified members to represent them. The provision made in the Bill to give representation to the Representative Assembly and the Legislative Council was sufficient, in his opinion, to espouse the popular cause, and if any District Board desired to send its representative, it was but right that it should give a contribution as a token of its interest in higher education.

CAPT. Y. V. AYYA dissociated himself from the views of the previous speaker and said that any man with common

sense, and not necessarily possessing literary merits, could take part in the meetings of the Senate.

MR. S. C. MALLIAH said that he agreed generally with all the provisions in the Bill excepting the one relating to the payment of Rs. 10,000 by the District Board. If that clause was allowed to remain, he was afraid that some District Boards might be tempted to agree to the payment and it would be disastrous to the development work of the District Boards. He added that if Government were keen on enfranchising the District Boards for purposes of the University, it should be done without any corresponding obligation to pay. Personally, he was not in favour of converting the Senate into an unwieldy body.

THE DEWAN enquired whether he could take it that the District Boards were not keen on getting a seat on the Senate so long as it was made conditional on an annual contribution.

MR. N. G. SANJEEVIAH replied that if the payment question could not be waived, the number of nominees to the Senate from the Assembly might be increased.

THE SECOND MEMBER OF COUNCIL said that Government would keep an open mind about the question of payment and place the views of the Assembly before the Legislative Council for consideration.

MR. D. S. MALLAPPA represented that the provision made for the non-official element on the Senate was not sufficient and wanted the number to be elected by and from the Representative Assembly and the Legislative Council to be increased to 16 and 8, respectively. He added that the District Boards also must be eligible to return one candidate each without any question of payment. He was also emphatic in urging that the two-thirds majority should be changed into a bare majority.

THE DEWAN observed that they were all matters of detail which could be considered by the Select Committee of the Legislative Council.

In regard to the provision of the two-thirds majority, the SECOND MEMBER OF COUNCIL explained that it was to be enforced only in the matter of amending or cancelling the Ordinances made by the University Council. Ordinances were matters which were within the province of a special technical body like the University Council or the Academic Council. Many of them related to purely academic matters like promotion of research in the University, maintenance of discipline, conditions of admission to the various courses of study and examinations, etc. When Ordinances bearing on

the above matters were brought before the Senate for approval (the Senate is not an expert technical body), the idea was that it should not disapprove of them except by a decided majority. It was not also right that the Senate should lightly throw out the recommendations made by a technical body in respect of technical matters, and the Ordinances related only to such matters.

He added that the Senate had full powers as regards the statutes, because Statutes were made by the Council with the approval of the Senate. In fact, in all important matters the Senate had an effective voice.

Thereupon, the Assembly gave its approval to all the provisions of the Bill except the one relating to contribution by local bodies.

THE DEWAN said that that question would be examined in greater detail by the Legislative Council.

VII. Proposals regarding Allocation of Seats in the Representative Assembly.

THE CHIEF SECRETARY TO GOVERNMENT explained the above proposals as follows:—

The maximum strength of the Assembly as fixed in the Mysore Representative Assembly Regulation is 275 and the seats as now allocated are as follows:—

Rural Constituencies	...	...	...	167
Urban do	...	...	...	41
Minorities	...	...	...	39
Special Interests	...	...	...	26
			Total ...	273

A new taluk has since been constituted with Maddur as headquarter and this has to be recognised as a rural constituency and adequate representation allowed to it. Representations have been received by Government for the increase in the number of seats now allotted in the case of certain rural constituencies. Provision has also got to be made for additional seats in order to give representation to newly constituted towns. This renders necessary a revision of the seats allowed to the several constituencies and the various units and interests.

At present, some taluks send three representatives while others send two each. The classification of taluks for the purpose of allocation of seats was made in 1919 on the basis

of land revenue demand and secondarily on the ground of area, population and other considerations. It is a question for consideration, if the classification cannot be made on the population basis primarily.

Government propose to appoint a committee of some Representative Assembly Members and Government Officers to consider the detailed proposals that will be referred to them.

THE DEWAN observed that this was not a Bill but a statement intended more for the information of the Assembly.

MR. SYED KHAJA PEERAN pointed out that the re-classification of seats should not be made on the population basis as it would affect adversely the malnad districts which were sparsely populated.

MR. K. T. BHASHYAM IYENGAR did not favour the appointment of a committee if it was merely for the purpose of re-allocation of seats on the existing basis of the sanctioned strength of 275. Instead of that, he was for waiting till the question of further constitutional reforms was taken on hand when the enhancement of the powers of the Assembly also could be discussed with profit. It was sufficient, in his opinion, to increase the strength of the House to 300.

MR. D. S. MALLAPPA represented that it was nearly 10 years since the Representative Assembly Regulation was framed and it was high time that the powers of the Assembly were enhanced and it was given the power to appoint a non-official President. He did not see the necessity to appoint a special committee for the purpose of re-allocating the existing seats. The Assembly, as it was being constituted, would not benefit in the least by having one seat increased here and one reduced there. For these reasons, he opposed the appointment of the proposed committee.

THE DEWAN pointed out that the questions relating to responsible government or the appointment of a non-official President were not before the House and that the Government wanted the views of the Assembly only on the matter now placed before it, *viz.*, distribution of seats on a new basis.

MR. BAGAMANE DEVA GOWDA said that the time was opportune for giving more powers to the Assembly and that until that was done, the proposed committee was unnecessary.

MR. IBRAHIM KHAN was not in favour of giving the Assembly the privilege of electing a non-official President.

In his opinion, the experiment of placing the District Boards under the control of the non-official Presidents did not prove a success and he therefore preferred to leave the Presidentship of the Assembly in the hands of the Government.

MR. H. C. DASAPPA enquired what the exact purpose was for which a committee was proposed.

THE SECOND MEMBER OF COUNCIL explained that the terms of reference to the proposed committee would include such questions as the nature of constituencies, how candidates should be returned, whether by plural votes or single votes, *i.e.*, in a constituency of three members, whether each member should vote for all the three members or whether the area itself should be sub-divided into three parts and voters be asked to confine the vote to their particular area, etc.

MR. B. P. BASAPPA SETTY represented that if the seats were allocated on the population basis, the malnad area would stand to lose even the existing number of seats. Hence he wanted the terms of reference to the committee to be specific so far as the malnad districts went.

THE SECOND MEMBER OF COUNCIL explained that it was open to the committee to recommend the granting of weightage to such special tracts and all other allied concessions, provided they confined themselves within the four corners of the existing Regulation.

MR. JATHARE NAIK complained that the depressed classes were not given the privilege of returning a definite number of representatives to the Assembly and prayed that adequate representation might be provided to represent their interests.

MESSRS. USMON KHAN and M. NANJAPPA were opposed to the formation of a committee for a work which could be done as well by the executive under the rules framed by them with the approval of the Assembly.

MR. S. C. MALLIAH thought it desirable to appoint the proposed committee for the purpose of re-distributing the seats on the basis of the area and population combined, under the present altered conditions.

MRS. SAKAMMA suggested the inclusion of a lady member in the proposed committee. She thought it necessary to increase the representation of women's interests in the Assembly.

THE DEWAN said that he would be glad to include a lady in the committee.

MR. HOSAKOPPA KRISHNA RAO suggested that the terms of reference to the committee should be on a wider basis. If it was a question of allotting seats on the population basis, he thought it would necessitate a change in the existing schedules and it could be done only by amending the Representative Assembly Regulation.

THE SECOND MEMBER OF COUNCIL said that it should be done without amending the schedule and that the committee's work should be within the four corners of the existing Regulation.

THE DEWAN observed that any increase over 275 would make the Assembly much more unwieldy than it was at present and that such a tendency should not be encouraged.

THE SECOND MEMBER OF COUNCIL assured the Assembly that the terms of reference would be made as wide as possible.

At the request of the Assembly, Representations were taken up at this stage. In the absence of the Dewan, the First Member of Council occupied the Chair for the rest of the day.

REPRESENTATIONS—(*Continued*).

No. 6.—Remission of assessment on land to the extent of 25 to 30 per cent during the year 1931-32.

Messrs. Gurusamappa, Hoskote Taluk; N. Appanna Reddy, Bangalore Taluk; K. Y. T. Venkatachaliah, Kankanhalli Municipality; Belur Srinivasa Iyengar, Bangalore Taluk; S. Thontarya, Devanhalli Taluk; Yajaman Munisamy Setti, Minority Interest; Chikramiah, Nelamangala Taluk; Srikanta Rao, Devanhalli Taluk.

MR. GURUSAMAPPA represented that, owing to deficient rainfall in the State, the crops had suffered badly, that especially in the Bangalore District the yield did not come up to even two annas in the rupee and that the raiyats had not sufficient means of livelihood during the current year. He therefore prayed that at least 25 to 30 per cent of the assessment for the current year should be remitted.

He also pointed out that when this subject was brought up at the last session, the Revenue Commissioner had observed that it was not possible to give remission on the mere plea that there was a fall in prices during one year and that the question would, however, be considered if the prices continued to be low. Since the above statement was made, the prices had not increased even a bit, and more than that